

MICKLEGARTH'S RESPONSE TO BERRY'S DATA TO THE SECRETARY OF STATE.

Firstly, Berry's the Agent for Rogers' Farm, omitted to include Mr. and Mrs Boardman of Knapton in their mailing list. Mr and Mrs Boardman objected to this development (15/9/83.)

We have forwarded to Bristol our objections to this proposed development which abuts our orchard (O.S. 134) We wrote about the noise, odour, toxic dust, devaluation of our property, destruction of our water supply and the extinction of our wild life sanctuary. Our pet chickens and our twenty year old goldfish will have to be rehomed owing to the corruption of their environment.

We have $1\frac{3}{4}$ acres of orchards (O.S. 134 and 135) which, during our 44 years of occupancy, has developed into a wild life sanctuary which we cherish. In these days of frenzied house building we might have sold our land for development but we believe in conservation and providing a sanctuary for all creatures. Photographs of some species are enclosed.

Berry's like to make personal and sometimes insinuating comments to enhance their project so I should like to redress the balance. The Agent wrote that I refused Berry's access to our conservation pool until July and August. This was true but the sentence was taken out of context. The letters

72113778
10/1/18
were written in February and March and Berry's wanted to look at our neots. Any seven year old will tell you that neots are still hibernating then. Enclosed are copies of the correspondence.

However, I still feel guilty about mentioning the Wild Life Act of 1981 to Berry's in 2015. After decades of returning to the sheds on the proposed site to breed the swallows disappeared, so did the bats [REDACTED]

[REDACTED] Whether this was coincidence or camouflage I cannot say. Our swallows return each year and take over our garage. They are busy, at present, feeding their second brood.

We find it risible that Berry's write about setting up bird boxes and bat boxes and jumping on the environmental wagon whilst advocating that our tiny hamlet be exposed to extra speeding traffic, noise, odour and toxic dust as well as the destruction of Mickleburgh and Yew Tree Cottage's environment.

The Agent has gone to the trouble of researching the time that people spend in their gardens - a dig at Mickleburgh and our use of our orchard. For goodness sake we are retired and can spend time in our summer house at any time or season. We note that the research does not mention whether the people in the survey worked or were retired!

We must refute Berry's downplaying of traffic through Knapton. At the 'call in' one councillor, who sometimes uses the A110, supported me by saying, 'some cars

come down two abreast.' Most recently a bro-
mass lorry with its name emblazoned on the
side sped through Knapton. It looked higher
and longer than a chicken lorry. This will probably
cause an accident in Knapton, Canon Pyon or Portway
because speeding motorists view will be restricted.
Two mature trees are at risk from this large
lorry. One tree stands guard close to the
proposed new access. Will it be chopped
down to accommodate the large truck? The
other tree has branches spreading across the
highway. Another example of caring for the
environment.

The presentation of Berry's reports
was impressive but it must be remembered
that graphs and charts can be manipulated
to suit the tester. I could produce an
audiogram that would send you rushing off to
buy a hearing aid. I prefer to rely on people's
experience of situations.

We were amazed to read that
Rogers' Farm wants to claim compensation from
the Council.

Five amended plans were
submitted without censure. The Chief Planning
Officer, in his statement on 20th June, stated
that the factory farm would be

"in closer proximity to adjoining third
party residential properties than most, if not
all, of the intense livestock installation
applications to come before the Planning
Committee hitherto."

Precisely!

We have had our Human Rights exploited. Clause 8 states we have the right to enjoy our home, garden and correspondence. Our interests have been ignored.

On 6th December the 17 members of the Planning Committee paid a site visit to Rogers' Farm. Herefordshire people who know the site, the road, flooding areas investigated the area.

On 7th December I gave my Presentation before the Committee. 11 Councillors voted in our favour, 2 abstained and 4 members voted against us. That should have ended the project.

Now Berry's, on behalf of Rogers Farm, is exploring ways to rescind the Committee's verdict and seeks compensation. This is a dangerous situation which makes a mockery of the 'Call-In' and puts at risk democracy. Enough of tax payers money has been spent.

Today is the second anniversary of this Planning Application being presented to Burley and Upper Hill Parish Council. It is time to stop this adjudication and follow the democratic process.

Mickleghen
Knepton.

Herefordshire HR4 8ER
4th August 2017.





PRESENTATION.

7th Dec 2016, 10 a.m. Shirehall Hereford. 3 minutes

Mickleover is legally entitled to extract water from the well in Roger's field (OS 132). In June we read a geological report on the agent's website stating 'the farm is built over an aquifer.' This data disappeared. The E.A. took nearly five months to confirm that a SECONDARY AQUIFER is present but its status is not protected by 2010 Policy.

The E.A. permitted a two metre dig into the farm's hillside but Redmore Consultancy states that a six metre dig is proposed without documentation. The E.A. ignore these facts. The 2 or 6 metre dig could destroy the aquifer and our water supply. For this reason we are holding the E.A. and the Applicant legally and financially responsible for the corruption or failure of our water supply. Already, we are the fall guys for an estate agent says our property will be devalued by 50K.

The first Planning Application showed the attenuating pool's overflow pipes [REDACTED]

[REDACTED] We objected but the Planners were disinterested and ignored it.

Redmore states that the correct measurements are from factory farm to curtilage. In our case it is 50 metres. Our 1 acre fertile and productive orchard has a summerhouse, a conservation pool with reeds and is a wild life oasis. This year hedgehogs breed. We sell our fruit to buy bird food.

Graphs can be manipulated to a

estate's advantage so internet reports from victims are more relevant. Most properties are 175 - 400 metres from a site. At 50 metres we will be exposed to the most vile and intense odour, air pollution and noise. Toxic dust will pollute our land and the wild life will disappear. In theory we have a right to enjoy our house and garden but in practice we are ignored.

Knapperton has a history of flooding, speeding vehicles and road accidents. The amended plan will make this the 4th farm driveway, serving heavy traffic in a hamlet of 9 roadside houses. Successfully leaving our driveways is a matter of luck. There was an accident two years ago and not five as stated by the Agent.

Canon Pyon will share our increased traffic flow and a serious accident will occur.

Our democratic rights are being exploited by big business and aided by the Agencies.



Our ref: GC/HA15103

Date: 15th February 2016

ARRIVED 17-2-16.

Mr & Mrs Pritchard
Micklegarth
Knapton Green
Nr Bush Bank
Herefordshire
HR4 8ER

Newchurch Farm
Kinnersley
Hereford
HR3 6QQ

Tel: 01544 598080

hereford@berrybros.com
www.berrybros.com

Dear Mr & Mrs Pritchard,

Re: Planning Application P151983/F – Proposed erection of two poultry buildings, new access and conversion of building to house biomass boiler at Rogers Farm, Bush Bank, Knapton, Herefordshire.

I am the planning agent in respect of the above planning application.

I contact you in response to the letter submitted on your behalf by Marches Planning & Property Consultancy and specifically about the presence of two ponds within the grounds of your property.

The letter states that one of the ponds contains smooth newts and provides a potential habitat for great crested newts. I therefore write to ask if it would be possible to arrange for Dr Ross Jones of Star Ecology to visit your property in order to inspect the ponds and undertake a great crested newt assessment.

I would be grateful if you could contact me within 7 days from the date of this letter to let me if this would be possible and if so to arrange a mutually convenient date for a visit.

I have also written to Marches Planning & Property Consultancy to let them know that I have contact you.

I look forward to hearing from you.

Yours sincerely,

Graham Clark
Planning Consultant
for and on behalf of Berrys
DDI: 01544 598083

Chartered Surveyors and Valuers

• Property and Business Consultants

• Chartered Town Planners

Partners - M R Anwyll Ltd, A G Bowcock Ltd, NDK Bowman Ltd, Jonathan W Carpenter Ltd, B E T Corbett Ltd, A C Farnsworth Ltd, T R Goodman Ltd, Christopher J Jones Ltd, Mark T Monson Ltd, C D I Noble Ltd, J P Pridmore Ltd, J P Rivett Ltd, Ian Smith Ltd, J C M Stables Ltd, S Thomas Ltd, L E Thomson Ltd, Andrew Tompkins Ltd, W M Tongue Ltd
Associates - Guy Banham BSc (Hons) FAIV MBAC, Marcus Blake MRICS FAIV BSc (Hons), James Fulton BSc (Hons) MRICS FAIV, Sarah Reece BSc (Hons) MRICS FAIV, Nick Williams BSc (Hons) MSc

Offices in Cheshire, Herefordshire, Northamptonshire and Shropshire



Mickleburgh,
Knappton Green,
Nr Bush Bank,
Hereford.
HR4 8ER

Tel: [REDACTED]

Monday 22nd February, 2016.

Berry's
Newchurch Farm,
Kinnerley
Hereford TF8 6QR.
Your REF GC/HA15103

Dear Mr. Clark,

REF APPLICATION T151983 F

Thank you for your letter dated 15/2/16. Please note that our surname is not Titchard but TRITCHATT.

Surely Dr. Ross Jones of Star Ecology has advised you that ponds and conservation pools are devoid of newts in winter? They hibernate well away from water. I enclose an article about newts and their habitat for your educational development. A site visit in winter is a waste of everybody's time and costly for your clients.

The time for Dr. Jones to pay a site visit is in July/August. You may contact us in the summer to arrange a meeting.

Yours faithfully,

[REDACTED]
Retired Hereford based Peripatetic
Teacher of Hearing Impaired Children.

Enc.

Taken from The Observer's Book of WILD ANIMALS.

The Smooth Newt

Family SALAMANDRIDAE

Triturus vulgaris

Newts of which there are three British species, are generally similar to frogs and toads in their mode of life and in having an aquatic tadpole, but they differ from frogs and toads in retaining throughout life the compressed tail. As the structure, development and habits of our three species are much alike, a general description is given here before dealing with each separately.

The body is elongated. The two pairs of legs are almost of the same length, the hinder pair being slightly longer. The hands have four fingers and the feet five toes, as have other amphibians. The skin is without scales and is equipped with sensory cells, in small depressions in the skin, corresponding to the lateral line in fishes, functioning as a mechanism for posture and for detecting vibrations in the water. During the breeding season the skin of the males develops into a high crest or fin along the middle of the back and above and below the tail, and the toes are more or less broadly fringed on each side. These outgrowths are sexual ornaments as well as swimming aids, and they are also rich in sensory organs.

crested newt, its maximum length being 10.1 cm. It varies in colour, but the prevailing tint is olive brown with darker spots over the upper side, and dark streaks on the head. The underside is orange or vermillion with round black spots, the colours becoming more intense in the breeding season; the throat is white or yellow, mostly dotted with black. The underside of the female is, as a rule, much paler than that of the male, and often unspotted. The eye has a golden iris. The female has shorter fingers and toes than the male. At the breeding season the male develops a continuous crest, running from the top of the head to the end of the tail, and the lower edge of the tail has a spotted blue band with black base. The upper edge of the crest is festooned instead of being serrated.

The breeding habits of the smooth newt are much the same as those of the crested newt. The larva, light green or brownish above, is spotted with yellow along the sides and tail; the tail ends in a threadlike tip. Its change to the adult, which includes breathing by lungs instead of gills, is completed in fifteen to seventeen weeks.

Sometimes, however, tadpoles fail to mature before the end of summer and they remain in the water until the following spring.

After the breeding season, in July, adults and young leave the water and seek their food at night among the vegetation on land. For the rest of the summer, and in the autumn and winter, they hide under stones or logs, in cracks in the earth or in dense grass litter. They become duller in colour, and the skin becomes more opaque with a fine velvety surface.

Newts are terrestrial outside the breeding season, but return to water to breed.

The skin serves the same function of respiration as in the frog, and a newt is compelled when on land to force air into its lungs by a constant pumping and swallowing action of the mouth and throat.

In the breeding season the male stimulates the female to breeding conditions by displaying his crest and his heightened colours, and also by butting her with his head and lashing with his tail. At the end of the courtship the male emits a spermatophore, a mushroom-shaped gelatinous mass, the head of which is packed with sperm. The spermatophore sinks to the bottom and the female takes it into her cloaca. The eggs are, therefore, fertilized internally. They are laid singly on leaves of water plants, each leaf being folded over by the female to enclose the egg. The eggs hatch in about three weeks, the larvae being more slender and fish-like than frog tadpoles. They have three pairs of external gills, and soon after hatching they develop two pairs of thread-like organs from the sides of the upper jaw, which enable them to cling to water plants. Development is more prolonged than in the frogs and toads, but is mostly complete at the end of summer before hibernation begins. The young newts then crawl out of the water and seek shelter under stones.

Newts can regenerate lost or damaged limbs, the young being capable of doing so more readily than the adults.

The smooth newt, common newt, spotted newt, eft, or evat is the best known of our three species. It is widespread throughout England, widespread but uncommon in Wales, sparsely distributed in Scotland and Ireland. It is very much smaller than the



Our ref: GC/HA15103

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Date: 10th March 2016

Dear Mrs Pritchatt,

Re: Planning Application P151983/F – Proposed erection of two poultry buildings, new access and conversion of building to house biomass boiler at Rogers Farm, Bush Bank, Knapton.

I refer to your letter dated 22nd February 2016 and my subsequent telephone call with you on 2nd March 2016 regarding the two ponds at your property, which might provide a potential habitat for Great Crested Newts (GCN)

I telephoned to ask if it would be possible to inspect the two ponds at your earliest convenience in order to ascertain the size, type and condition of the ponds. I stated that this initial scoping visit would provide background information to obtain a quote from an ecologist. This visit would not form part of a formal GCN survey as this cannot take place until mid-April at the earliest.

You stated that you did not want anyone to visit your property for this purposes and that an assessment would have to be done in August. It is obviously your right to prevent access but the request was only made in light of the information supplied by Marches Planning & Property Consultancy on your behalf about the presence of two ponds, which may provide a habitat for Great Crested Newts.

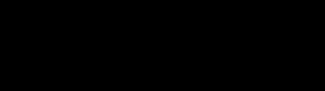
I hope we can arrange a mutually convenient time to inspect the ponds and surrounding habitat and that you will agree to an initial scoping visit. I would suggest that the formal survey by the ecologist takes place in the week beginning 11th April 2016. Subject to their findings further visit may be required.

Mid-April is the time of year surveys can be conducted as confirmed by Natural England and Department for Environment Food & Rural Affairs.

I would therefore be grateful if you would telephone me on 01544 598 083 to arrange a visit for the week beginning 11th April 2016.

I look forward to hearing from you next week.

Yours sincerely,


Graham Clark
Planning Consultant

cc Marches Planning & Property Consultancy

Chartered Surveyors and Valuers

• Property and Business Consultants

• Chartered Town Planners

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Offices in Cheshire, Herefordshire, Northamptonshire and Shropshire



Copy

Micklegareh,
Knepton
Hullford HR14 8ER
28.3.16

Barns,
New Church Farm,
Kinnorsley
Hullford HR3 6QQ

Dear Mr. Clark,

RE PLANNING APP P151983/F

We are in receipt of your letter dated 10-3-16
and have read your comments. [REDACTED]

[REDACTED] In our letter dated
22.2.16 you were told the reasons why your ecologist
would not be welcome at this time. These comments
still remain true.

We note that our Agent, Ms Hamilton has
received one letter and an 'e' mail from you and we have
received a telephone call and two letters from you -
all within the space of a month. [REDACTED]

1. Instead your ecologist should investigate
the derelict buildings on the proposed site at
Rogers' Farm. The swallows will shortly be returning
to their breeding ground on this site. Generation
after generation of swallows have raised young on
this site and their numbers have increased.
Last year they returned on 10th April. Our own

Season two broods resulted in eight healthy birds which helped the population of swallows which are in decline nationwide. According to the Wildlife and Countryside Act of 1981 the nesting season starts on 1st March. After this date it is unlawful for the site to be disturbed or the nests destroyed until the young are fully grown and no longer need a nest. Did your clients inform you of this fact? Perhaps your ecologist can suggest an alternative site at the farm should the application succeed. Our swallows stay for six months.

2. Bats. At dusk on a summer's evening bats fly across our orchard and garden. They do not roost in our outbuildings but we suspect that they inhabit the darkest buildings at Rogers' Farm.

May we remind you that as a professional courtesy all enquires should be directed to our Agent rather than ourselves.

I am sure that Mrs Hamilton would appreciate a copy of your ecologist's report on the swallows and bats.

Yours faithfully,
Mr. and Mrs. [REDACTED]

28-5. Swallow have left Rogers' Farm site. Were they encouraged to find a different nesting site?

3-6. Bill spotted 16 swallows over site so they are determined to stay. Our own 'garage swallows' thrive.